

REMARKS

The Office Action of November 13, 2002 has been received and its contents carefully considered.

Claims 1-10 were originally pending in this application. Claims 1-10 are amended, and new claims 11-20 are added herein. Amended claims 1 and 10, and new claim 11 are independent claims.

In the Office Action, claims 1-9 stand rejected under 35 U.S.C. 102(e) as being anticipated by Haseltine et al. (U.S. Patent No. 6,578,015). The claims are amended herein to overcome the prior art rejection.

Figure 1 of the application generally discloses a charge collecting system that includes a user terminal (1) operated by any user, a sales shop (2), a wallet server providing company (3) and a settlement institution (4), all of which are connected to each other by a network (5). The user and his/her e-mail address are registered in the sales shop when a sales transaction, for example, is performed between the user terminal and the sales shop. In addition, the user and his/her accounts are registered in the settlement institution. Further, the user is under contract to the settlement institution for using the wallet server providing company while settling the transaction.

Claim 1, as amended, is specifically directed to a charge collecting system connected by a network to user terminals operated by a plurality of users, the system comprising:

a use information management unit which manages use information of the plurality of users and generates requested contents related to such use information for each of the plurality of users as of a closing date of a predetermined period of time during which each respective user is authorized to use the charge collection system;

a notice information management unit which manages the requested contents to be notified to each of the plurality of users via the network according to a corresponding user address on the network provided by the use information management unit for each of the respective users;

a requested contents notice unit which transmits to each of the users via the network, the corresponding requested contents and a payment execution information including an address of the notice information management unit to which a paying instruction regarding the corresponding requested contents is to be sent; and

a settlement unit which makes a real-time settlement on the network when there is an access by one of the plurality of users to the paying address notified by the requested contents notice unit and the paying instruction regarding the corresponding requested contents from the one user is received.

As amended, claim 1 incorporates the principle features of original claims 1 and 2. Amended claim 1 also specifically recites that the “requested contents notice unit ... transmits to each of the users via the network, the corresponding requested contents and a payment execution information including an address of the notice information management unit to which a paying instruction regarding the corresponding requested contents is to be sent” (emphasis added). This feature is disclosed, for example, in Figure 3(b) of the application, which shows a dialog box containing an “EXECUTE” button by means of which the user can execute settlement of the requested contents displayed (see also application page 9, lines 17-22).

In the Office Action, the Examiner asserts that the Haseltine reference discloses all of the limitations of the present invention. However, it is respectfully submitted that there are several features of the claimed invention that are not taught or suggested by Haseltine.

For example, the Examiner points to Haseltine as disclosing a use information management unit which manages a period of time (period of time or billing due date) which has been predetermined every user and during which the use of said charge collecting system is permitted (see abstract, column 8, lines 9-64); and wherein the notice information management unit manages the notice information on the basis of use management information including the requested contents and the address of the use information management unit, and the requested contents notice unit receives a control of the transmission of the e-mail in accordance with the use management information of the use information management unit (see abstract, column 7, lines 34-47, specifically wherein the active area 430 may also include a notification functionality adapted to generate and send an e-mail).

The central feature of the invention in Haseltine is the bill presentment and payment database, which receives biller-originated bill data and bill format data over a network. The inputted bill data and bill format data are then stored in a first area of the database. After the bill data and bill format data are validated, they are swapped into a second area of the database where the bills, now incorporating the validated bill data formatted according to the bill

format data, are accessible to customers (abstract of Haseltine). Contrary to the Examiner's position, it is respectfully submitted that Haseltine fails to disclose "a use information management unit which manages use information of the plurality of users and generates requested contents related to such use information for each of the plurality of users as of a closing date of a predetermined period of time during which each respective user is authorized to use the charge collection system," as amended claim 1 requires. Rather, what Haseltine discloses is a system in which billing date is processed as received from the billers and the bills subsequently posted to the active area, where they remain available for a period of time specified by the biller (column 7, lines 15-16). It appears that in Haseltine, the timing of bill presentment is wholly under the control of the billers. The text referenced by the Examiner at column 8, lines 9-64, discusses the generation and use of billing templates, and, therefore, is not relevant at all to "a use information management unit which manages use information of the plurality of users."

The text at Haseltine column 7, lines 34-37, cited by the Examiner, does disclose that the bill presentment and payment database includes an e-mail notification function. However, Haseltine fails to disclose "a requested contents notice unit which transmits to each of the users via the network, the corresponding requested contents ..." as the claims require. Rather, in order to access billing data in Haseltine, each customer must, in response to the initial e-mail, log-in to the website of the other bill presentment and payment service, providing a user number and password for access to the customer's bills (column 9, lines 10-18).

As noted above, claim 1 is amended herein to recite "a requested contents notice unit which transmits to each of the users via the network, the corresponding requested contents and a payment execution information including an address ... to which a paying instruction ... is to be sent" (emphasis added). No similar functionality is disclosed in Haseltine. At best, Haseltine only discloses that "the active area 430 may also include notification functionality adapted to generate and send an e-mail, for example, to the customers when new bills have been posted within the active area 430 of the bill presentment and payment database 400" (column 7, lines 34-38). Unlike the claimed invention, the user in Haseltine must subsequently log onto the website of the database 400, or of the biller 330, to generate a payment request and make settlement of the bill (column 9, line 66 through column 10, line 5).

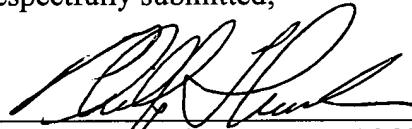
For at least the foregoing reasons, it is respectfully submitted that amended claim 1 patentably distinguishes over the applied Haseltine reference. Since claims 2-9 all depend directly or indirectly from independent claim 1 and recite additional limitations to further define the invention, it is respectfully submitted that they also patentably distinguish over the applied art references for at least the reasons discussed above. Claim 10, which the Examiner has not addressed in the Office Action, claims the disclosed invention in somewhat different terms, and is likewise allowable in its amended form.

New claims 11-20 are directed to the embodiment of the invention disclosed in Figure 4 and described at page 10, line 20 through page 12, line 23 of the present application. It is believed that these new claims also patentably distinguish over the applied prior art.

In summary, it is respectfully submitted that the application, as now amended, is in condition for allowance, and a notice to that effect is earnestly solicited.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange such an interview.

Respectfully submitted,



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